

CITY COUNCIL
ATLANTA, GEORGIA

06-O-2661

**A SUBSTITUTE ORDINANCE BY
FINANCE AND EXECUTIVE COMMITTEE**

AN ORDINANCE AUTHORIZING THE TRANSFER OF APPROPRIATIONS, IN THE AMOUNT OF TWENTY THOUSAND DOLLARS (\$20,000.00), FROM FUND, ACCOUNT, AND CENTER NUMBER 2R21 (CIVIC CENTER RENEWAL AND EXTENSION FUND) 791001 (RESERVE FOR APPROPRIATION) T11001 (RESERVATION FOR FUNDS APPROPRIATIONS) TO FUND, ACCOUNT, AND CENTER NUMBER 2R01 (CIVIC CENTER REVENUE FUND) 729010 (REFUNDS) N42101, IN ORDER TO ALLOW THE ATLANTA CIVIC CENTER TO REFUND THE DEPOSIT PAID BY THE "BODIES EXHIBITION"; AND FOR OTHER PURPOSES.

WHEREAS, the Atlanta Civic Center (the "Center") required the "Bodies the Exhibition" ("Bodies") to pay a twenty thousand dollar (\$20,000.00) refundable deposit as a condition precedent to displaying the "Bodies" exhibit; and

WHEREAS, the Bodies exhibit left the Center in September 2006 and met all their obligations pursuant to the rental agreement; and,

WHEREAS, the Center has not refunded the Bodies their deposit because the existing refund account only has two thousand dollars (\$2,000.00) in available funds; and

WHEREAS, the Department of Parks, Recreation, and Cultural Affairs ("Department"), wishes to transfer \$20,000.00 from a reserve account in order to refund the said deposit; and

WHEREAS, Chapter 2, Article IX, Division 1, Section 2-916 of the Code of Ordinances of the City of Atlanta, Georgia, requires that all requisitions for refunds that exceed \$5,000.00 are to be "referred to the committee on finance and the council for final determination"; and

WHEREAS, the Department desires to refund the deposit to Bodies in a timely manner to ensure matchless customer service to the client.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS as follows:

Section 1: That the Chief Financial Officer is hereby authorized to make the following transfer on or about the time of passage of this ordinance:

TRANSFER FROM APPROPRIATIONS

2R21 791001 T11001	Civic Center Renewal & Extension Reserve for Appropriation Reserve of Fund Appropriations	\$20,000.00
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TRANSFER TO APPROPRIATIONS

2R21 762001 T11001	Civic Center Renewal & Extension Fund Interfund Operating Transfer Reserve of Fund Appropriations	\$20,000.00
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INCREASE ANTICIPATIONS

2R01 6****N42101	Civic Center Revenue Fund Anticipations Civic Center	\$20,000.00
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INCREASE IN APPROPRIATIONS

2R01 729010 N42101	Civic Center Revenue Fund Refunds Civic Center	\$20,000.00
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Section 2: That all ordinances and parts of ordinances in conflict herewith are hereby waived for purposes of this Ordinance only, and only to the extent of the conflict.

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FINANCE AND EXECUTIVE COMMITTEE**

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Section 1: That the Chief Financial Officer is hereby authorized to make the following transfer on or about the time of passage of this ordinance:

TRANSFER FROM APPROPRIATIONS

2R21 791001 T11001	Reserve Account	\$20,000.00
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TRANSFER TO APPROPRIATIONS

2R01 729010 N42101	Refund Account	\$20,000.00
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Section 2: That all ordinances and parts of ordinances in conflict herewith are hereby waived for purposes of this Ordinance only, and only to the extent of the conflict.

RCS# 795
1/02/07
2:11 PM

Atlanta City Council

REGULAR SESSION

CONSENT II

REFER

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 3
ABSENT 0

E Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
E Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	E Sheperd	NV Borders

CONSENT II

Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

B. To be completed by the department :

A. To be completed by Legislative Counsel:

Committee of Purview: Finance and Executive

Caption: AN ORDINANCE AUTHORIZING THE TRANSFER OF APPROPRIATIONS, IN THE AMOUNT OF TWENTY THOUSAND DOLLARS (\$20,000.00), FROM FUND, ACCOUNT, AND CENTER NUMBER 2R21 (CIVIC CENTER RENEWAL AND EXTENSION FUND) 791001 (RESERVE FOR APPROPRIATION) T11001 (RESERVATION FOR FUNDS APPROPRIATIONS) TO FUND, ACCOUNT, AND CENTER NUMBER 2R01 (CIVIC CENTER REVENUE FUND) 729010 (REFUNDS) N42101, IN ORDER TO ALLOW THE ATLANTA CIVIC CENTER TO REFUND THE DEPOSIT PAID BY THE "BODIES EXHIBITION"; AND FOR OTHER PURPOSES.

Council Meeting Date: 12/12 & 12/13

Requesting Dept.: Parks, Recreation, and Cultural Affairs

1. Please provide a summary of the purpose of this legislation (Justification Statement).

The purpose of this legislation is to transfer \$20,000.00 as a refund deposit back to the "Bodies the Exhibition" ("Bodies") that was previously on display at the Civic Center from an existing Reserve account that has \$398,000.00, into an existing Refund account that does not have enough funds within the existing Refund account to cover the refundable deposit that "Bodies" paid to the Civic Center. The Civic Center's Refund account only has \$2,000.00 in funds available to date, thereby requiring the Civic Center to request this Ordinance be developed, so as to cover the cost of this approved refund in a timely manner to this client ("Bodies").

2. Please provide background information regarding this legislation.

The Civic Center recently sponsored the production of "Bodies the Exhibition" ("Bodies") in the Exhibition Hall space and it is the responsibility of the Civic Center to give back refundable deposits to clients, in this case the "Bodies" exhibit has not received their refundable deposit since they left in September, 2006. The reason they have not received their refundable deposit is due to the fact that the Civic Center does not have \$20,000.00 within its existing Refund account, they only have \$2,000.00 in this already established Refund account.

The original \$20,000.00 refund deposit given by "Bodies" was deposited into the Building Rental Account Number 2R01 (Civic Center Revenue Fund) 462201 (Building Rentals) B00001 (Revenue Center).

The purpose of this legislative request is to allow the Civic Center by Ordinance to move, by transferring the required \$20,000.000 refund deposit from an existing Civic Center Reserve account that has \$398,000.00 of available funds into the existing Refund account, so as to provide "Bodies" the approved \$20,000.00 refund deposit as listed in the rental agreement.

3. If Applicable/Known:

(a) **Contract Type:** N/a- This is strictly and issue of transfer of funds.

- (b) **Source Selection:**
- (c) **Bids/Proposals Due:**
- (d) **Invitations Issued:**
- (e) **Number of Bids:**
- (f) **Proposals Received:**
- (g) **Bidders/Proponents:**
- (h) **Term of Contract:**

4. Fund Account Center: To transfer \$20,000.00 from Reserve account 2R21 (Civic Center Renewal and Extension Fund) 791001 (Reserve for Appropriation) T11001 (Reservation of Funds Appropriations) into the Refund account number 2R01 (Civic Center Revenue Fund) 729010 (Refunds) N42101 (Civic Center) for the purpose of paying a refund deposit owed to "Bodies".

5. Source of Funds: Identified above in number 4.

6. Fiscal Impact: \$20,000.00 to be paid to "Bodies" as an approved refund deposit once transfer has been completed of the required funds being transferred into the Refund account through an approved Ordinance that is required in accordance with the City of Atlanta Charter and Code of Ordinances, specifically relating to **Section 2-916. Refunds.**

7. Method of Cost Recovery: N/a

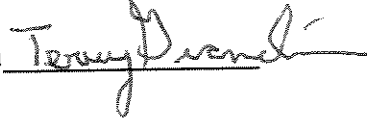
This Legislative Request Form Was Prepared By: Debra F. Harris, M.A. Departmental Contracting Officer/Legislative Liaison-Department of Parks, Recreation and Cultural Affairs.

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Legislative Counsel (Signature): Terry Grandison



Contact

Number: 6946

Originating Department: Parks, Recreation, and Cultural Affairs

Committee(s) of Purview: Community Development and Human Resources

Council

Deadline: 11/27/06

Committee Meeting Date(s): 12/12 -12/13 Full Council Date: 1/02/07

1/16/07

Commissioner Signature



CAPTION

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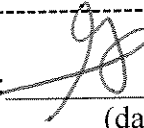
FINANCIAL IMPACT (if any): No Matching Grant Funds Required

Mayor's Staff Only

Received by Mayor's Office:

11.29.06 (date)

Reviewed by:



(date)

Submitted to Council:

11/30/06 (date)